

BILL NO. Z-67-08- 12

ZONING MAP ORDINANCE NO. Z- 136-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. CC-13.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby
designated a B-4 District under the terms of Chapter 36,
Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended by General Ordinance No. 2836; and the symbols on the
City of Fort Wayne Zoning Map No. CC-13 referred to therein,
established by Section 9, Article III of said Chapter as amended,
are hereby changed accordingly, to-wit:

Lot Number One (1) and the North 55.4 feet
of Lot Number Two (2) in Archer's Out Lots,
an Addition to the City of Fort Wayne, Allen
County, Indiana.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor, and
legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY, _____



CITY ATTORNEY

Read the first time in full and on motion by Tipton seconded by Nirja and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 1967, at _____ o'clock, P.M., E.S.T. Date: 8/8/67 Fred G Bonahoom CITY CLERK

Read the third time in full and on motion by Tipton seconded by Shake and duly adopted, placed on its passage. Passed (1051) by the following vote:

AYES	<u>7</u>	NAYS	<u>0</u>	ABSTAINED	<u> </u>	ABSENT	<u>2</u>	to-wit:
Buchanan	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Dunifon	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Fay	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Hinga	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Nuckols	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Robinson	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Rousseau	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Steigerwald	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Tipton	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	

Date 2-23-71 Fred G Bonahoom CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. Z-136-71 on the 23rd day of February, 1971. ATTEST: (SEAL) Fred G Bonahoom CITY CLERK Harold S. Zeis PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of February, 1971 at the hour of 8:30 o'clock A.M., E.S.T. Fred G Bonahoom CITY CLERK

Approved and signed by me this 25th day of February, 1971, at the hour of 10:30 o'clock A.M., E.S.T. Harold S. Zeis MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 8, 1967, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-67-08-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

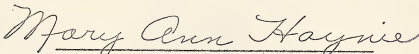
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 18, 1967;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 25, 1967.

Certified and signed this
17th day of February 1971.



Mary Ann Haynie
Secretary

Bill No. Z-67-08-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. CC-13,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

HERBERT G. TIPTON

JACK K. DUNIFON

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

Herbert G. Tipton
Thomas G. Adams
Wm K. Geake

CONCURRED IN
DATE 2-23-71 FRANK G. BONAHOOM, CITY CLERK



\$ 25.00

1967 No.

RECEIVED OF

July 19
C. David Peebles

Twenty-Five and ⁰⁰/₁₀₀ DOLLARS

Re-zone Lots 1 & 2 Archers
Out - Lots

BY I. H. McKeithen

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51%) per cent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a RA District to a B-4 District, the real estate described as follows, to-wit:

Lot Number One (1) and the North 55.4 feet of
Lot Number Two (2) in Archer's Out Lots, an
Addition to the City of Fort Wayne, Allen County,
Indiana.

Name	Address
<u>Norman J. Beltz</u>	<u>2215 West California Rd</u>
<u>John R. Beltz</u>	<u>2215 West California Rd</u>
<u>Evelyn Chapman</u>	<u>2209 W. California Rd.</u>
<u>Edgar V. Chapman</u>	<u>2209 W. California Rd.</u>
<u>John C. Mycman</u>	<u>2125 W. California Rd.</u>
<u>Anna F. Mycman</u>	<u>2125 W. California Rd.</u>
<u>Wanda B. Widmann</u>	<u>2133 W. California Rd.</u>
<u>William F. Widmann</u>	<u>2133 W. Calif. Rd.</u>
KELTSCHE BROS. INC. By: <u>Donald R. Keltz</u> Donald R. Keltz, President	<u>On California & Harris Rd.</u> <u>or 1203 West State St</u> <u>On California & Harris Rd.</u> <u>or 1203 West State St</u>

RESTRICTIVE COVENANT

WE, JOHN R. BELTZ and NORMA J. BELTZ; EDGAR V. CHAPMAN and EVELYN E. CHAPMAN; WILLIAM F. WIDMANN and WANDA WIDMANN; DONALD J. NYCU and ANNA NYCU; WALTER R. BRIM and PATRICIA J. BRIM; and F. SCHILL BROTHERS INCORPORATED, being the owners and joint tenants of the real estate in Allen County, Indiana, described as follows:

Lot Number One (1) and the North 55.4 feet of Lot Number Two (2) in Archer's Out Lots, in Addition to the City of Fort Wayne, Allen County, Indiana;

do hereby give and permission to use said real estate for commercial (Retail) purposes, and do hereby covenant and agree, for ourselves, grantees, personal representatives, successors and assigns as follows:

We will not erect, or permit to be erected, any building or structure on said real estate nearer than Seventy-Five (75) feet to the South line, the right-of-way of U. S. 30 Bypass, as the same will exist when said highway is constructed as a four (4) lane highway. It is understood and agreed that the proposed right-of-way line now exists and that until the final right-of-way is determined and land acquired by the State of Indiana therefor, no building or structure will be erected nearer to the South line of the right-of-way of said highway than Seventy-Five (75) feet from the presently proposed South right of way line of said highway.

We will not erect, or permit to be erected, any building or structure on said real estate nearer than the West right-of-way of Harris Road, on the highway in Allen County, Indiana, as the same will exist when said highway is a four (4) lane highway. It is understood and agreed that the proposed right-of-way line for the said highway now exists and that until the final right-of-way is determined and land acquired by the State of Indiana therefor, no building or structure will be erected nearer to the West line of the right-of-way of Harris Road than the presently proposed West right-of-way line thereof.

1

KELTSCH BROTHERS INCORPORATED

By Donald R. Keltsch
Donald R. Keltsch, President

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—
—
75
1
76

COMPUTATION OF CHARGES

76 lines columns wide equals equivalent lines at 28¢
cents per line \$ 21.89

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

—
21.89
\$

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Amelia D. Hall

Date March 17, 1971

Title CLERK

Notice is hereby given that on the 23rd day of February, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session and after reading and following zoning map ordinance, to-wit: 8111 No. 2-28-68

ZONING MAP ORDINANCE NO. 2-28-68
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-23-67, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the area described as follows is hereby designated as B4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1964, as amended by General Ordinance No. 2-26-68, and the 1st Map No. C-23-67, to-wit: hereafter, said Chapter as amended, are hereby changed accordingly, to-wit:
Lot Number One (1) and the North 1/4 of Lot Number One (1) in Archer's Out Lots, on Addition to the City of Fort Wayne, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and its publication thereof.
Herbert G. Tipton, Councilman, Read the third time in full and on motion by Tipton seconded by Goske and duly adopted, passed, on its passage.
Passed by the following vote:
Ayes, seven; Absents, two; Goske, Mayor, none.
Attest, two, to-wit: Councilman Tipton and Robinson.

Filed G. Bonehoon, City Clerk.
Date: 2-23-71.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-28-68, on the 23rd day of February, 1971, at the hour of 11:30 o'clock A.M., E.S.T.

Attest:
Paul A. Steingard, Recording Officer.
Filed G. Bonehoon, City Clerk.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1971, at the hour of 11:30 o'clock A.M., E.S.T.

Approved and signed by me this 23rd day of February, 1971, of the hour of 11:30 o'clock A.M., E.S.T.
Harold S. Zells, Mayor.
I, Fred G. Bonehoon, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. 2-28-68 passed by the Common Council on the 23rd day of February, 1971, and that said Ordinance was duly filed and approved by the Mayor on the 23rd day of February, 1971 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 23rd day of February, 1971.
— Fred G. Bonehoon, City Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was published in said paper for 2 time, the dates of publication being

as follows: March 8, 1971

March 15, 1971

Amelia D. Hall

Subscribed and sworn to before me this 17th day of March 1971

Earl H. Stapleton

Notary Public

My commission expires March 8, 1974

Common Council, City of Ft. Wayne
(Governmental Unit)

To: NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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— number of equivalent lines

Head number of lines

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Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

76 lines, columns wide equals equivalent lines at 28¢ cents per line \$ 21.89

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 21.89

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 9 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date March 17, 1971

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman, who, being duly sworn, says that she is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA, in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

March 8, 1971

March 15, 1971

Subscribed and sworn to before me this 17th day of March 1971

Notary Public

My commission expires March 8, 1974

Notice is hereby given that on the 23rd day of February, 1971, the Common Council of the City of Fort Wayne, Indiana, at a Regular Session, did pass the following Zoning Map Ordinance, to-wit: Bill No. 2-27-69-17

ZONING MAP ORDINANCE NO. 2-27-69-17 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-17, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated C-8.4 (District) under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, and is to be governed by the provisions of the Zoning Ordinance established by Section 9, Article III of said Charter as amended, and hereby changed accordingly, to-wit:

Lot Number One (1) and the North 25.4 feet of Lot Number Two (2) in Archer's Old Lots, on addition to the City of Fort Wayne, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and its publication hereof.

Herbert G. Tipton, Councilman, Mayor, did read the Ordinance and duly adopted, passed and approved the same by the following vote:

Ayes, seven: Adams, Fay, Geake, Nichols, Stelzerwald, Tipton, Nays, none.

Attest: first, to-wit: Councilman Danifan and Robinson.

Fred G. Bonahoom, City Clerk.

Date: 2-23-71.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, at Regular Session, on the 23rd day of February, 1971.

ATTEST:

Phil A. Stelzerwald, Presiding Officer, Fred G. Bonahoom, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1971, at the hour of 8:30 o'clock A.M. E.S.T.

Fred G. Bonahoom, City Clerk.

Approved and signed by me this 23rd day of February, 1971, at the hour of 10:30 o'clock A.M. E.S.T.

Herold S. Zeltz, Mayor, City of Fort Wayne, Indiana, do hereby certify that the above and foregoing Bill, law, and ordinance copy of 2-23-71 was duly signed, and approved by the Mayor on the 23rd day of February, 1971, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 23rd day of February, 1971.

3-8-71 Fred G. Bonahoom, City Clerk.